

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DAVID MURDOCK, Individually and as)
Father and Next Friend of BEAU FARISH)
MURDOCK and ANABELLE SAGE)
MURDOCK, minor children, on behalf of)
all others similarly situated,)

Plaintiffs,)

v.)

RC2 CORPORATION, LEARNING)
CURVE BRANDS, INC., LEARNING)
CURVE BRANDS, INC. d/b/a RC2)
BRANDS, INC., WAL-MART STORES,)
INC. and TOYS "R"US, INC.,)

Defendants.)

Civil Action No. 2:07-CV-03376 (WHW-MF)

[PROPOSED] ORDER OF DISMISSAL

[Document Electronically Filed]

This matter having been opened to the Court on the motion of Edwards Angell Palmer & Dodge LLP, counsel for Defendants, RC2 Corporation, Learning Curve Brands, Inc, Wal-Mart Stores, Inc., and Toys "R" Us, Inc. (collectively "Defendants"), upon the Defendants' motion for an order, pursuant to Fed. R. Civ. P. 12 (b)(6) and L. Civ. Rule 7.1(c), dismissing the Class Action Complaint ("Motion to Dismiss"), and for such further and similar relief as the Court may deem just and proper; and the Court having read and considered the papers submitted in support of and in opposition; and having heard the arguments of counsel, if any; and good cause having been shown;

IT IS, on this _____ day of _____, 2007, ORDERED, ADJUDGED
AND DECREED that

1. Defendants' Motion to Dismiss is granted in its entirety; and

2. The Class Action Complaint, and each cause of action therein, is dismissed in its entirety.

WILLIAM H. WALLS, U.S.D.J.

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CERTIFICATION OF SERVICE

I hereby certify that on October 10, 2007, a true copy of the within [Proposed] Order of Dismissal was served pursuant to the Federal Rules of Civil Procedure, and/or the District of New Jersey's Local Civil Rules and/or the District of New Jersey's ECF Policies and Procedures, and by sending same via first class mail service offered by the U.S. Postal Service, in postage paid envelopes addressed to the following counsel for the parties at the addresses indicated:

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Attorneys for Plaintiff

Executed on: October 10, 2007



Charles W. Stotter

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